

REMARKS

Claims 28-37 were rejected. Claim 37 is cancelled. Claims 28, 30-31, and 35-36 are amended herein. No new matter is added. Claims 28-36 are now pending. The above amendments and the following remarks are considered by Applicant to overcome each rejection raised by the Examiner and to place the application in condition for allowance.

I. REJECTION OF CLAIM 37 PURSUANT TO 35 U.S.C. 112, SECOND PARAGRAPH

The Examiner rejected claim 37 pursuant to 35 U.S.C. 112, second paragraph, for being indefinite. Applicant has cancelled claim 37, and therefore respectfully requests withdrawal of the rejection.

II. REJECTION OF CLAIMS 28 AND 30-36 UNDER 35 U.S.C. § 103(A) BASED ON AAPA IN VIEW OF COURTNEY AND ANZAI

The Examiner rejected claims 28 and 30-35 as being unpatentable over Applicant's Admitted Prior Art ("AAPA") in view of U.S. Patent No. 6,469,658 to Courtney et al. ("Courtney") and further in view of U.S. Patent No. 5,793,331 to Anzai et al. ("Anzai"). These rejections are traversed and believed overcome in view of the following discussion.

The determination of obviousness rests on whether the claimed invention as a whole would have been obvious to a person of ordinary skill in the art at the time the invention was made. In determining obviousness, four factors should be weighed: (1) the scope and content of the prior art, (2) the differences between the art and the claims at issue, (3) the level of ordinary skill in the art, and (4) whatever objective evidence may be present. Obviousness may not be established using hindsight or in view of the teachings or suggestions of the inventor. The Examiner carries the burden under 35 U.S.C. § 103 to establish a prima facie case of obviousness and must show that the references relied on teach or suggest all of the limitations of the claims.

Regarding the prior art cited by the Examiner, the AAPA as described in paragraph [0006] merely relates to “*fixedly* installed” HF circulators or HF isolators. These fixedly installed circulators or isolators need to be removed if the frequency is to be changed. The AAPA, however, is silent with respect to providing an antenna unit having an antenna and a circulator or isolator connected to the antenna. In the AAPA, there is no mention of an antenna or an antenna unit. (Note that paragraph [0008] relates not to prior art but to an embodiment of the present application.) Courtney merely teaches that the antenna and the circulator can be interchanged independently. Further, Anzai merely teaches that an antenna can be replaced as a unit.

Claim 28 requires an “antenna unit having an antenna and a circulator or an HF isolator ... arranged in a common antenna unit housing ... wherein the antenna unit can be plugged in the housing or screwed onto the transmitter housing such that the antenna unit is replaceable as a unit.” The Examiner concedes that the AAPA and Courtney do not disclose this replaceable limitation, but contends that Anzai discloses an antenna unit replaceable as a unit.

Anzai, however, does not disclose a replaceable antenna unit, where the antenna unit has an antenna *and a circulator or an HF isolator*. Rather, Anzai merely discloses a replaceable antenna. Anzai provides no indication that its replaceable antenna is anything more than a mere antenna. The cited prior art documents do not suggest removing a circulator or HF insulator from a housing and integrating it into an antenna unit together with an antenna. Rather, these documents teach away from claim 28 as they relate to replacing the antenna and circulator independently.

Further, the cited prior art documents do not describe that the antenna unit can be plugged in or screwed onto a transmitter housing—that is, that the antenna unit can be outside the housing. Placing the antenna unit outside the housing is advantageous as it will allow an easy replacement of an antenna unit having a specific frequency range or frequency response with an alternative antenna unit having an alternative frequency range of frequency response.

Further, Applicant has amended independent claim 28 to further require “the circulator or HF isolator ... decoupling the antenna unit from the transmitting amplifier to ensure that the transmitting amplifier can operate in a constant operating range” The cited references fail also to disclose this limitation.

For the above reasons, Applicant respectfully submits that it would not have been obvious to one of ordinary skill in the art to arrive at the invention of independent claims 28. Independent claims 30, 31, 33, and 35 contain limitations similar to those discussed above, and therefore Applicant further submit that these claims and their dependent claims also would not have been obvious. Accordingly, Applicant respectfully requests withdrawal of the obviousness rejections of claims 28 and 30-35.

III. REJECTION OF CLAIM 29 UNDER 35 U.S.C. § 103(A) BASED ON AAPA IN VIEW OF COURTNEY, ANZAI, AND KAWASAKI

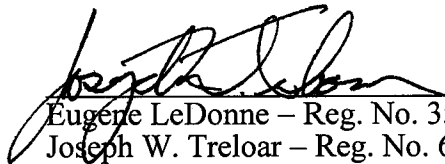
The Examiner rejected claim 29 as being unpatentable over AAPA in view of Courtney, Anzai, and Kawasaki. Claim 29 is dependent from claim 28. As claim 28 is allowable, so must be claim 29. Accordingly, Applicant respectfully requests withdrawal of the rejection.

IV. REJECTION OF CLAIM 36 UNDER 35 U.S.C. § 103(A) BASED ON AAPA IN VIEW OF COURTNEY, ANZAI, AND CONOVER

The Examiner rejected claim 36 as being unpatentable over AAPA in view of Courtney, Anzai, and Conover. Claim 36 is dependent from claim 28. As claim 28 is allowable, so must be claim 36. Accordingly, Applicant respectfully requests withdrawal of the rejection.

Based upon the above remarks, Applicant respectfully requests reconsideration of this application and its early allowance. Should the Examiner feel that a telephone conference with Applicant's attorney would expedite the prosecution of this application, the Examiner is urged to contact him at the number indicated below.

Respectfully submitted,



Eugene LeDonne – Reg. No. 35,930

Joseph W. Treloar – Reg. No. 60,975

Joseph Miller, III – Reg. No. 61,748

REEDSMITH LLP

599 Lexington Avenue

New York, NY 10022

Tel.: 212.521.5400

EL:JM
500593.20090